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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ANTHONY E. GARVER, a/k/a Anthony
E. Burke,

Defendant.

Mag. No. 06-270

Motion for Detention Hearing

The United States moves for pretrial detention of Defendant, pursuant to
18 U.S.C. § 3142(e) and (f).

1. Eligibility of Case. This case is eligible for a detention order
because the case involves:

- ☐ Crime of violence (as defined in 18 U.S.C. § 3156(a)(4) which
includes any felony under Chapter 109A, 110 and 117),
- ☐ Maximum penalty of life imprisonment or death,
- ☐ Drug offense with maximum penalty of 10 years or more,
- ☐ Felony, with two prior convictions in above categories,
- ☒ Felony that involves a minor victim or that involves the
possession or use of a firearm or destructive device (as those
terms are defined in section 921), or any other dangerous

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1 weapon, or involves a failure to register under 18 U.S.C.
2 section 2250,

3 ☒ Serious risk Defendant will flee, or

4 ☒ Serious risk obstruction of justice.

5 2. Reason For Detention. The Court should detain Defendant because
6 there is no condition or combination of conditions which will
7 reasonably assure:

8 ☒ Defendant's appearance as required, or

9 ☒ Safety of any other person and the community.

10 3. Rebuttable Presumption. The United States will invoke the
11 rebuttable presumption against Defendant under Section 3142(e).
12 The presumption applies because there is probable cause to believe
13 Defendant committed:

14 ☐ Drug offense with maximum penalty of 10 years or more,

15 ☒ 18 U.S.C. § 924(c) firearms offense, or

16 ☐ Kidnaping, sexual crimes, or child pornography offenses.

17 4. Time For Detention Hearing. The United States requests the Court
18 conduct the detention hearing:

19 ☐ At the first appearance, or

20 ☒ After a continuance of three days.

21 5. Other Matters.

22 The Defendant has previously violated several no contact orders.

23 DATED November 1, 2006.

24 James A. McDevitt
25 United States Attorney

26 *s/Joseph H. Harrington*

27 Joseph H. Harrington
28 Assistant United States Attorney

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3 I hereby certify that on November 1, 2006, I electronically filed the
4 foregoing with the Clerk of the Court using the CM/ECF System.
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6 *s/Joseph H. Harrington*

7 Joseph H. Harrington

8 Assistant United States Attorney
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